



~~August 15, 2006 CPC~~  
September 27, 2006 BS

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

06SN0314

Belvedere Development Company, LLC

Midlothian Magisterial District  
North line of Robious Road

REQUEST: Amendment to Conditional Use Planned Development (Case 02SN0214) relative to phasing of commercial development.

PROPOSED LAND USE:

The applicant wishes to be issued a certificate of occupancy for permitted uses on the subject parcel, upon the issuance of a temporary certificate of occupancy for a building of at least 2,300 gross square feet on adjacent property to the east. Current conditions of zoning would not allow the issuance of the certificate of occupancy until such time as a temporary certificate of occupancy for a building of at least 4,000 gross square feet has been issued.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITION ON PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reason:

The proposed amendment, with the existing development on the adjacent property to the east, would continue to establish the desired transition between commercial development on the request site and residential development to the east.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) IS A BUFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON

BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITION

(STAFF/CPC)      Phasing of Commercial Development. Prior to issuance of any certificate of occupancy for any use on Parcel C-2, either (i) at least temporary certificates of occupancy shall have been granted for a building (other than as part of a multi-family project) of at least 2,300 gross square feet on Parcel C or (ii) Parcel C shall have been incorporated into a multi-family project on Parcel A and at least temporary certificates of occupancy shall have been granted for the phase of such project of which Parcel C is a part. (P)

(Staff Note: This proffered condition supersedes Proffered Condition 2 of Case 02SN0214.)

GENERAL INFORMATION

Location:

Fronting the north line of Robious Road east of West Huguenot Road. Tax ID 741-714-3585 (Sheet 2).

Existing Zoning:

C-2

Size:

3.3 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - I-1; Light Industrial

South - C-3; Commercial

East - R-MF with Conditional Use Planned Development; Multifamily residential and office

West - I-1; Light Industrial

## UTILITIES

### Public Water and Wastewater Systems:

The proposed amendment will have no impact on the required use of the public water and wastewater systems. (Case: 02SN0214, Proffered Condition 13)

## ENVIRONMENTAL AND PUBLIC FACILITIES

This request will have a minimal impact on these facilities.

## LAND USE

### Comprehensive Plan:

Lies within the boundaries of the Northern Area Plan which suggests the property is appropriate for light industrial use.

### Area Development Trends:

Area properties are characterized by a mix of zonings and land uses. Specifically, mini-warehouse facilities are located on the I-1 property to the north and west. Property to the south is zoned and developed for commercial and office uses. Adjacent property to the east has developed with multifamily residential uses and an office/bank use is under construction.

It is anticipated that existing land uses on properties to the north, east and west will continue, as is suggested by the Northern Area Land Use Plan. The Huguenot/Robious/Midlothian Area Plan anticipates a mixture of integrated office parks, commercial, light industrial and/or higher density residential uses continuing to the south.

### Zoning History:

On June 23, 1999, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved the rezoning to Corporate Office (O-2) of a portion of the subject property which fronts on Robious Road (Case 99SN0253). A convalescent, nursing or rest home was planned; however, other Corporate Office (O-2) uses were permitted.

On June 26, 2002, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved the rezoning from Corporate Office (O-2) to Neighborhood Business (C-2) of the request property along with the rezoning of adjacent property to the east. (Case 02SN0214)

Site Design:

The property lies within an Emerging Growth District Area. Development must conform to the requirements of the Emerging Growth District Area. The Zoning Ordinance specifically addresses access, landscaping, setbacks, parking, signs, buffers, utilities and screening of outside storage areas. The purpose of the Emerging Growth District standards is to promote high quality, well-designed projects.

CONCLUSION

The proposed amendment, with the existing development on the adjacent property to the east, would continue to establish the desired transition between commercial development on the request site and residential development to the east.

Given these considerations, approval of this request is recommended.

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CASE HISTORY

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Planning Commission Meeting (8/15/06):

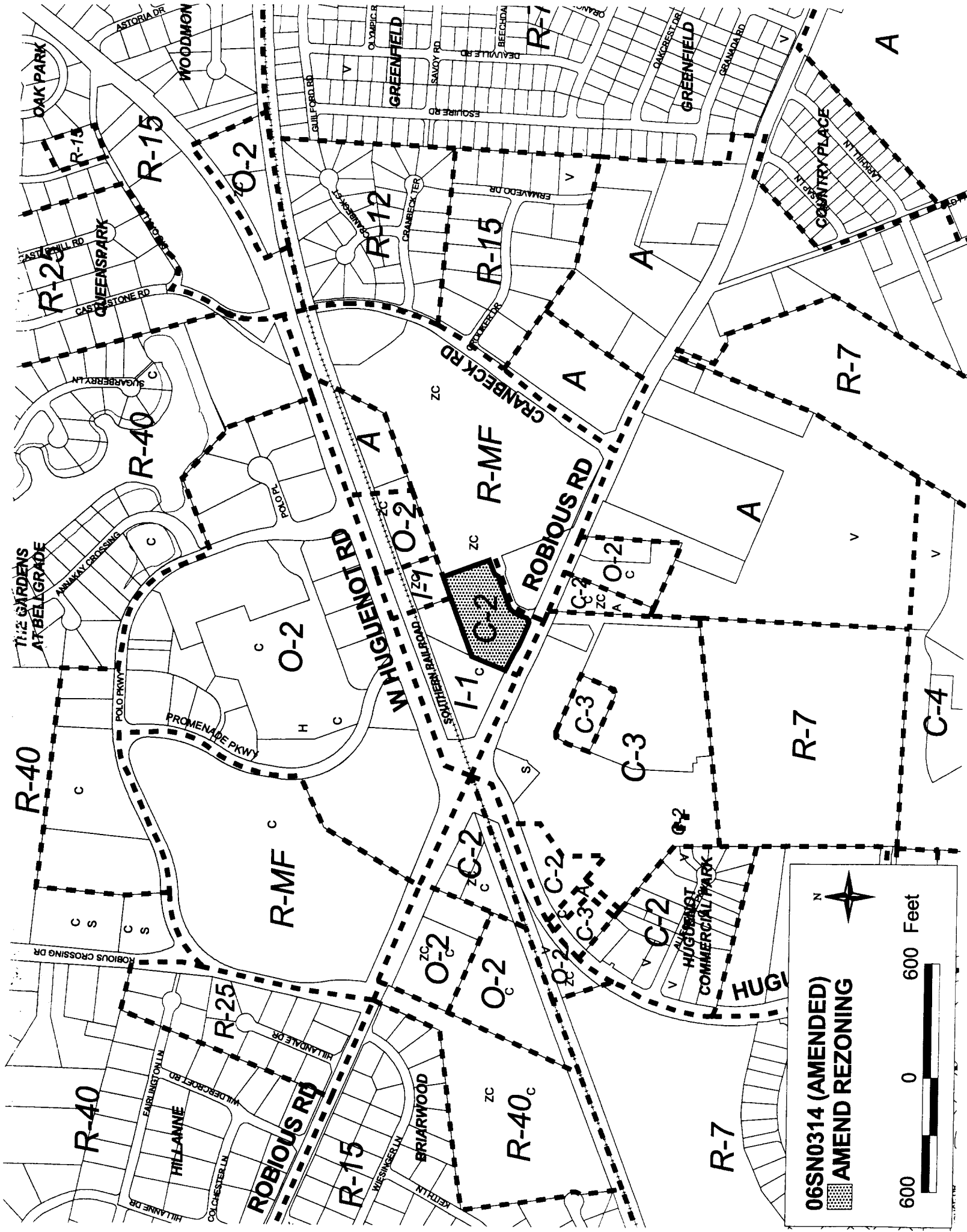
The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Gecker, seconded by Mr. Gulley, the Commission recommended approval and acceptance of the proffered conditions on page 2.


AYES: Messrs. Wilson, Gecker, Bass, Gulley and Litton.


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The Board of Supervisors, on Wednesday, September 27, 2006, beginning at 7:00 p.m., will take under consideration this request.



**06SN0314 (AMENDED)**  
**AMEND REZONING**

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 600 0 600 Feet